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Notice of Allowability	Application No.	Applicant(s)	
	10/018,412	HILDEBRAND ET AL.	
	Examiner	Art Unit	
	Ha D. Ho	3681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 6/25/04.
2. ☒ The allowed claim(s) is/are 8,9,12,13,21,22 and 25-31.
3. ☒ The drawings filed on 13 December 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Bujold on 08/18/04.
3. During the interview, applicant agreed to amend claim 8 to incorporate the indicated allowable subject matter in claims 10 and 11, and amend claim 21 to incorporate the indicated allowable subject matter in claims 23 and 24. The application has been amended as follows:
 - Claim 8, the last line, "and" has been deleted.
 - Claim 8, the last line, --, said intermediate plate (2) has receptacles (4) for accommodating at least one of said connecting elements (6) and said damping elements (5), and said receptacles (4) are radially disposed around an axis of rotation (9) of said hydraulic pump (1)-- have been inserted after "plane".
 - Claim 10 has been canceled.
 - Claim 11 has been canceled.
 - Claim 21, line 9, "(1)and" has been changed to --(1) and--.
 - Claim 21, line 11, "and" has been deleted.
 - Claim 21, line 11, --, said intermediate support (2) is an intermediate plate (2), said intermediate plate (2) has receptacles (4) for accommodating at least one of said

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connecting elements (6) and said damping elements (5), and said receptacles (4) are radially disposed around an axis of rotation (9) of said hydraulic pump (1)-- have been inserted after "plane".

- Claim 23 has been canceled.
- Claim 24 has been canceled.

4. The following is an examiner's statement of reasons for allowance:

Claims 8, 13 and 21 have been amended to include the indicated allowable subject matter in the corresponding claims.

The prior art of record does not disclose or render obvious a motivation to provide for a power distribution transmission including a hydraulic motor being coaxial with a hydraulic pump, an intermediate plate located between the hydraulic motor and pump and being secured to a transmission housing via connecting elements including elastic damping elements, the hydraulic motor and pump communicating with a mechanical power branch via shafts which are floatingly supported as defined by the limitations of claims 8, 13 and 21. Claims 8 and 21 further include the intermediate plate having receptacles radially disposed around an axis of the pump rotation, the intermediate plate defining a plane such that the connecting elements intersect the plane. Claim 13 further includes the connecting elements and the damping elements all being situated in one plane.

5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ha D. Ho whose telephone number is (703) 305-0738. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-2168.

HDH
(703) 305-0738
August 18, 2004

Ha D. Ho
HAHO
PRIMARY EXAMINER
Art Unit 3681 *8/18/04*